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 I.P. DEPT. WASHINGTON, D.C. 20231  
 FOLEY & LARDNER  
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER  |
|--------------------|---------------------|-----------------------|-------------------------|
| 09/990,255         | 11/20/2001          | Vassilis Doucas       | SALK2150-1(088802-4902) |

CONFIRMATION NO. 2321

## FORMALITIES LETTER



\*OC000000007624246\*

Stephen E. Reiter  
 FOLEY & LARDNER  
 P.O. Box 80278  
 San Diego, CA 92138-0278

Date Mailed: 03/12/2002

OFFICE OF PETITIONS

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:  
*Vassilis Doucas*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, p

- For Rules Interpretation, call (703) 308-4216

  
CANCELLATION  
OCT 15 2002

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- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

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*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Atty. Dkt. No. SALK2150-1  
(088802-4902)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Doucas et al.

Title: METHOD FOR THE  
IDENTIFICATION AND USE OF  
SUBSTANCES THAT MODULATE  
POD FUNCTION AND/OR  
STRUCTURE

Appl. No.: 09/990,255

Divisional. of Appl. No.  
Appl. No. 08/975,272

Filing Date: 11/20/2001

Examiner: Unknown

Art Unit: 1631

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below.

Stephen E. Reiter

(Printed Name)

October 11, 2002

(Date of Deposit)

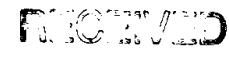
**TRANSMITTAL OF MISSING PARTS  
OF PATENT APPLICATION**

Commissioner for Patents  
Washington, D.C. 20231  
Attn: BOX MISSING PARTS

Sir:

In response to the Notice to File Missing Parts of Application mailed on March 12, 2002, Applicants acknowledge that the signature of Vassilis Doucas is missing from the oath or declaration. However, as previously submitted, Dr. Doucas has been an uncooperative inventor since the filing of a Petition to Correct Inventorship in the parent application, for which we have not yet received a response from the Patent Office. Applicants have attempted everything possible to correct the inventorship in the parent application, which would transfer to the divisional, including payment of all filing fees. Another copy of the Petition to Correct Inventorship and associated papers is enclosed herewith. Enclosed are:

[ X ] Copies of originally filed documents as follows:

Petition Under 37 C.F.R. § 1.183 to Suspend the Rules and Waive the 

Requirements of 37 C.F.R. § 1.64

Petition to Correct Inventorship Under 37 C.F.R. § 1.48(a);

Statement of Didier P. Trono

Declaration and Power of Attorney signed by Didier P. Trono

Declaration and Power of Attorney signed by Ronald M. Evans

Written Consent of the Assignee

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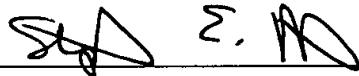
- Return Copy of Notice to File Missing Parts
- Application Data Sheet
- Petition for Extension of Time and a check for \$980.00.
- Other Return Receipt Postcard

In addition the request to comply with the requirements of 37 C.F.R. 1.812-1.825 has been issued in error. No sequence listing is required for this divisional application as there are no sequences in the application and no sequence requirement was issued in the parent application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

By



Date: October 11, 2002

Stephen E. Reiter  
Attorney for Applicant  
Registration No. 31,192

FOLEY & LARDNER  
Customer Number: 30542



30542

PATENT TRADEMARK OFFICE

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